



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

SEP 25 2014

Raymond Sukys  
Director, Office of Planning and Program Development  
Federal Transit Administration, Region 9  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839

Subject: Draft Environmental Impact Statement (DEIS) for the Redlands Passenger Rail Project, San Bernardino County, California (CEQ# 20140228)

Dear Mr. Sukys:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Redlands Passenger Rail Project. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The Federal Transit Administration (FTA), as NEPA lead agency, working with the San Bernardino Associated Governments (SANBAG) acting in its role as the San Bernardino County Transportation Commission, propose extending passenger rail operations east, from the City of San Bernardino to the City of Redlands in an approximate 9 mile corridor. The DEIS evaluates three Alternatives, including a Preferred Project, a Reduced Project Footprint, and a No Build. The DEIS includes three Design Options for the build Alternatives.

EPA provided Scoping comments on May 17<sup>th</sup>, 2012. We appreciate the additional information incorporated into the Draft EIS in response to those comments, including committing to diesel-powered locomotives that would meet Tier 4 engine emissions requirements, and completing a traffic study that identified queuing impacts and mitigation at the numerous at-grade crossings of the proposed rehabilitated track. Following our review of the DEIS, EPA has rated the proposed project as Lack of Objections (LO) (see enclosed *Summary of EPA Rating Definitions*). While the DEIS identifies that project implementation, combined with proper mitigation, should not result in significant environmental impacts, we offer the following recommendations for your consideration going forward.

*Waters of the United States*

The DEIS identifies less than 1 acre of impacts to the Waters of the United States (WUS) resulting from the project, and FTA is still in the process of completing a jurisdictional delineation to be approved by the Army Corps of Engineers (ACOE). EPA encourages FTA to continue to work closely with the ACOE to identify and commit to minimization and mitigation of any WUS impacts. In particular, EPA recommends that FTA document how the reduced length of bank improvements along the Mission Zanja Channel (associated with Alternative 3) and proposed Design Options may minimize impacts to the Waters of the US.

We appreciate the opportunity to review the DEIS. When the FEIS is available for review, please send one copy to the address above (mail code: ENF 4-2). If you have any questions, please contact Zac Appleton, the lead reviewer for this project. Zac can be reached at 415-972-3321 or [appleton.zac@epa.gov](mailto:appleton.zac@epa.gov).

Sincerely,



Connell Dunning, Transportation Team Supervisor  
Environmental Review Section

Enclosures: Summary of EPA Rating Definitions

cc: Mitchell Alderman, SANBAG  
Dominique Paukowits, FTA

# **SUMMARY OF EPA RATING DEFINITIONS\***

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

## **ENVIRONMENTAL IMPACT OF THE ACTION**

### ***"LO" (Lack of Objections)***

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

### ***"EC" (Environmental Concerns)***

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

### ***"EO" (Environmental Objections)***

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

### ***"EU" (Environmentally Unsatisfactory)***

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

## **ADEQUACY OF THE IMPACT STATEMENT**

### ***Category "1" (Adequate)***

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

### ***Category "2" (Insufficient Information)***

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

### ***Category "3" (Inadequate)***

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

